

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**SOUTHERN DIVISION**

**U.S.A. vs. Albert Thomas Clark**

**Docket No. 7:91-CR-49-1**

**Petition for Action on Supervised Release**

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Albert Thomas Clark, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon and Possession of a Stolen Firearm, 18 U.S.C. § 922(g) and § 922 (j), was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on May 22, 1992, to the custody of the Bureau of Prisons for a term of 235 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall participate in a vocational training program as directed by the probation office.

Albert Thomas Clark was released from custody on October 24, 2008, at which time the term of supervised release commenced.

On May 19, 2010, the court modified the releasee's conditions to include 2 days in jail and the DROPS condition, as a sanction for his use of illegal substance. The releasee completed the 2 day jail sanction.

On December 8, 2010, the court was apprised the releasee was using alcohol in excess. The court modified the releasee's conditions to include an alcohol abstinence condition.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

The releasee submitted a urine specimen which revealed positive results for marijuana on February 15, 2011. Upon confronting the releasee he admitted to smoking a herbal cigarette that someone gave him but denied knowingly smoking marijuana. He later informed the probation officer it may have contained marijuana. He was admonished and instructed not to smoke anymore herbal cigarettes.

On February 28, 2011, during an unannounced home inspection, the releasee was caught drinking a beer. Upon questioning the releasee, he admitted to consuming a couple of beers after work because he was tired and wanted to relax. The releasee was admonished and reminded of the alcohol abstinence condition added to his supervised release conditions on December 8, 2010. As a sanction for both his illegal drug use and alcohol consumption, it is recommended the releasee's conditions be modified to include two weekends in Jail.

The releasee signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons from 7 p.m. on Friday until 7 p.m. on Sunday, for a period of 2 consecutive weekends, and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton  
Pamela O. Thornton  
Senior U.S. Probation Officer  
2 Princess Street, Suite 308  
Wilmington, NC 28401-3958  
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Executed On: March 16, 2011

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**ORDER OF COURT**

Considered and ordered this 17 day of March, 2011, and ordered filed and made a part of the records in the above case.



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W. Earl Britt  
Senior U.S. District Judge